

Heard the counsel for the plaintiff on IA.No.I and II. Perused the materials available on record.

The plaintiff has filed I.A.No.I seeking permission to dispense with the notice issued to the defendant No.2 u/s. 264 of Karnataka Panchayath Raj Act. Perused I.A.No.I and satisfied with the reasons and hence, I.A.No.I is allowed.

I.A.No.II is filed by the plaintiff against the defendants under Order XXXIX Rules 1 and 2 of C.P.C. seeking ex parte ad interim order of temporary injunction restraining the defendants or any body on their behalf from interfering with the plaintiff's peaceful possession and enjoyment of the suit schedule property in any manner, pending disposal of the suit in the interest of justice and equity.

The plaintiff has filed this suit against the defendants for permanent injunction in respect of suit schedule property. Keeping in mind the nature of suit and on perusal of materials available on record, I am of the opinion that if ad interim order of

temporary injunction is not granted, the object of granting the injunction would be defeated by delay. Hence, I proceed to pass the following:-

ORDER

Pending final disposal of IA No.II, the defendants are hereby restrained from interfering with the plaintiff's peaceful possession and enjoyment of the suit schedule property till next date of hearing.

Issue ad-interim order of temporary injunction, notice on IA No.II and suit summons to the defendants by RPAD, if PF paid.

The plaintiff shall comply with the provisions of Order XXXIX Rule 3(a) of CPC.

Await summons and notice
by

sd/-

**Civil Judge & Addl. JMFC.,
Tarikere**